

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

EMMA YOUNG

v.

ATWOOD OCEANICS, INC., ARAMARK
CORPORATION, AND ARAMARK U.S.
OFFSHORE SERVICES, L.L.C.

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C.A. NO. _____
JURY DEMANDED

NOTICE OF REMOVAL

COME NOW, Atwood Oceanics, Inc., ARAMARK Corporation, and ARAMARK U.S. Offshore Services, L.L.C., and without waiving any of their defenses, hereby give notice of removal of this case from the 60th Judicial District Court of Jefferson County, Texas to the United States District Court for the Eastern District of Texas, Beaumont Division, pursuant to 43 U.S.C. § 1349(b), 28 U.S.C. § 1331, and 28 U.S.C. § 1441(a).

1. Plaintiff filed this action on August 8, 2013 in the 60th Judicial District Court of Jefferson County, Texas.
2. Defendant Atwood Oceanics, Inc. was served on September 6, 2013.
3. Defendants ARAMARK Corporation and ARAMARK U.S. Offshore Services, L.L.C. were served on September 6, 2013.
4. Plaintiff alleges that that he was a seaman, and he seeks recovery under the Jones Act and pursuant to the doctrines of unseaworthiness and maintenance and cure.
5. All of Plaintiff's allegations arise from and in connection with operations conducted on the outer Continental Shelf involving exploration, development, or production of its minerals. This court has jurisdiction over Plaintiff's claims pursuant to 43 U.S.C. § 1349(b) and 28 U.S.C. § 1331.

6. This action is removable pursuant to 28 USC § 1441(a).
7. Only those claims made non-removable by statute may be severed and remanded pursuant to 28 U.S.C. § 1441(c)(2).
8. This Honorable Court occupies the district and division in which Plaintiff's Original Petition was filed. *See* 28 U.S.C. § 1446(a).
9. The Brief in Support of the Notice of Removal is attached as Exhibit A.
10. Atwood Oceanics, Inc., ARAMARK Corporation, and ARAMARK U.S. Offshore Services, L.L.C. were served on September 6, 2013. This notice of removal is timely filed no more than 30 days after receipt of the first pleading from which it may be ascertained that the case is removable. 28 U.S.C. 1446(b)(2)(B).
11. Consent to Removal of ARAMARK Corporation and ARAMARK U.S. Offshore Services, L.L.C. is attached as Exhibit B.
12. Consent to Removal of Atwood Oceanics, Inc. is attached as Exhibit C.
13. The Affidavit of Walter A. Baker is attached as Exhibit D.
14. A copy of the state court docket sheet is attached as Exhibit E.
15. Copies of all process, pleadings asserting causes of action, answers, and orders on file in the state court are attached as Exhibit F.
16. An index of the matters being filed is attached as Exhibit G.
17. A list of all counsel of record, including addresses and telephone numbers, is attached as Exhibit H.
18. The name and address of the state court from which this action is being removed is attached as Exhibit I.

WHEREFORE, PREMISES CONSIDERED, Defendants notify this Court of the removal of this action from the 60th Judicial District Court of Jefferson County, Texas to the United States District Court for the Eastern District of Texas, Beaumont Division.

Respectfully submitted,

BROWN SIMS

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy has been served upon the following counsel via e-file. If counsel is not a user of the e-file system, then this document will be served *via* Certified Mail, return receipt requested on the 4th day of October, 2013.

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